

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P.O. Box 7599
Loveland, Colorado 80537-0599

Practitioner's Docket No. 10991598-1

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: KERNAN et al.

Examiner: NA

Serial No.: 10/027,333

Filing Date: 20 December 2001

Group Art Unit: NA

Title: APPARATUS FOR MANIPULATION OF IONS AND METHODS OF MAKING APPARATUS

Assistant Commissioner For Patents
Washington, D.C. 20231

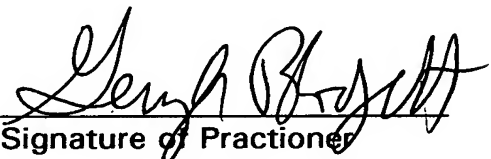
RESPONSE TO "NOTICE OF OMITTED ITEMS" IN
NONPROVISIONAL APPLICATION
PROCEED WITH EXAMINATION OF APPLICATION AS FILED

1. This is a response to the "NOTICE OF OMITTED ITEMS" mailed for this application on 28 January 2002.

A copy of the "NOTICE OF OMITTED ITEMS" is attached.

2. Applicant is willing to accept the filing date for this application in the form as deposited in the P.T.O. Please proceed with the processing of the application for examination, including entry of the accompanying Preliminary Amendment.

Reg. No.: 26,090


Signature of Practitioner

Tel. No.: (508) 753-5533

Gerry A. Blodgett

43 Highland Street
P.O. Address

Customer No.:
c:\wp51\rm\2022001.rml

022 878

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AGILENT TECHNOLOGIES, INC.
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PATENT APPLICATION

ATTORNEY DOCKET NO. 10991598-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): KERNAN et al.

Serial No.: 10/027,333

Examiner: NA

Filing Date: 20 Dec. 2001

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Title: APPARATUS FOR MANIPULATION OF IONS AND METHODS OF MAKING APPARATUS

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
() No additional fee (Address envelope to "Box Non-Fee Amendments")
() Other: (fee \$)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS		MINUS		= 0	X \$18	\$ 0
INDEP. CLAIMS		MINUS		= 0	X \$84	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$280	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$400.00	3RD MONTH \$920.00	4TH MONTH \$1440.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

"Express Mail" label no. EL810500056US

Date of Deposit 15 MARCH 2002

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Washington, D.C. 20231.

By

Typed Name: Thomas C. Blodgett

Respectfully submitted,

KERNAN et al.

By

Gerry A. Blodgett

Attorney/Agent for Applicant(s)

Reg. No. 26,090

Date:

#3

RECEIVED 1 of 2

FEB 11 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

AGILENT LEGAL

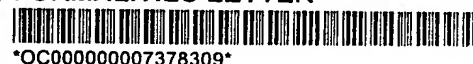
 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/027,333	12/20/2001	Jeffrey T. Kernan	10991598-1

CONFIRMATION NO. 1632

 AGILENT TECHNOLOGIES, INC.
 Legal Department, DL429
 Intellectual Property Administration
 P.O. Box 7599
 Loveland, CO 80537-0599

FORMALITIES LETTER



OC000000007378309

COPY

Date Mailed: 01/28/2002

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Page(s) 8 of the specification (description and claims).

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. If applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a sworn oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.

To: lch

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE